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box 599

Patitioner's Docket No. 700157-48900 C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: M. Makrigiorgos
Title: MUTATION SCANNING ARRAY, AND METHODS OF USE THEREOF
Serial No.: 09/858,200
Filing Date: May 15, 2001

Examiner:
Group:

Box Missing Parts
Assistant Commissioner for Patents
Washington D.C. 20231

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

Completion of Filing Requirements (5 pp)
Executed Declaration (3 pp)
Sequence Listing (1 p) and diskette
Amendment under CFR Sec. 1.825 (2 pp)
Sequence Listing Statement (1 p)
Check for \$840.00 and
Return receipt postcard

is on the date shown below being:

MAILING

- X deposited with the United States Postal Service and with sufficient postage as first class mail in an envelope addressed to US Patent and Trademark Office, Assignment Division, Box Assignments - CG-4, 1213 Jefferson Davis highway, Suite 320, Washington D.C. 20231.

Patricia W. Turner
Signature

Date: October 15, 2001

Patricia W. Turner
(type or print name of person certifying)



Practitioner's Docket No. 48900 C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: M. Makrigiorgos

Application No.: 09/858,200

Group No.:

Filed: May 15, 2001

Examiner:

For: **MUTATION SCANNING ARRAY, AND METHODS OF USE THEREOF**

Box Missing Parts

Assistant Commissioner for Patents

Washington, D.C. 20231

**COMPLETION OF FILING REQUIREMENTS
- NONPROVISIONAL APPLICATION**

(check and complete this item, if applicable)

- I. ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed August 13, 2001.

☒ A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 10.15.01

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office at (703) ____ - ____.

Signature Patricia W. Turner

Patricia W. Turner
(type or print name of person certifying)

(complete (c) or (d), if applicable)

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT CANCELLING CLAIMS

III. ☐ Cancel claims _____ inclusive.

SEQUENCE LISTING

IV.

☒ Attached please find:

- (a) a sequence listing, diskette, statement under C.F.R. § 1.821 (g), and amendment under C.F.R. §1.825

TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- V. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

COMPLETION FEES

VI.

1. Filing fee

- ☒ original patent application
(37 C.F.R. Section 1.16(a)--\$710.00; small entity--\$355) \$ 710.00
- ☐ design application
(37 C.F.R. Section 1.16(f)--\$320; small entity--\$160) \$ _____

2. Fees for claims

- ☐ each independent claim in excess of 3
(37 C.F.R. Section 1.16(b)--\$80; small entity--\$40) \$ _____
- ☐ each claim in excess of 20
(37 C.F.R. Section 1.16(c)--\$18; small entity--\$9) \$ _____
- ☐ multiple dependent claim(s)
(37 C.F.R. Section 1.16(d)--\$270; small entity--\$135) \$ _____

3. Surcharge fees

- ☒ late payment of filing fee and/or late filing of original declaration or oath
(37 C.F.R. Section 1.16(e)--\$130; small entity--\$65) \$ 130.00

4. ☐ Petition and fee for filing by other than
all the inventors or a person not the inventor
(37 C.F.R. Sections 1.17(i) and 1.47--\$130) \$ _____

5. ☐ Fee for processing an application filed with
a specification in a non-English language
(37 C.F.R. Sections 1.17(k) and 1.52(d)--\$130) \$ _____

6. ☐ Fee for processing and retention of application
(37 C.F.R. Sections 1.21(l) and 1.53(d)--\$130) \$ _____

Total completion fees \$ 840.00

EXTENSION OF TIME

VII.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$110	\$55
<input type="checkbox"/> two months	\$390	\$195
<input type="checkbox"/> three months	\$890	\$445
<input type="checkbox"/> four months	\$1,390	\$695

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VIII.

The total fee due is

Completion fee(s) \$ 840.00
Extension fee (if any) \$ _____

Total Fee Due \$ 840.00

PAYMENT OF FEES

IX.

☒ Enclosed is a check in the amount of \$ 840.00.

☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

X. ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 50-0850.

☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)

☒ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a)).

☒ 37 C.F.R. Section 1.17 (application processing fees)

☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))



SIGNATURE OF PRACTITIONER

Reg. No.: 30,628

Tel. No.: (617) 345-6054

Customer No.: 26248

Ronald I. Eisenstein
NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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26248
NIXON PEABODY LLP
101 FEDERAL ST
BOSTON, MA 02110

NIXON PEABODY LLP

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OC001300006417182

Date Mailed: 08/13/2001

10/22/2001 BNGUYEN1 00000061 500850 09858200

FILED UNDER 37 CFR 1.53(b)

01 FC:105		130.00 OP
02 FC:101	30.00 CH	710.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
 - The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.08, identifying the application by the above Application Number and Filing Date, is required.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
 - The balance due by applicant is \$ 840.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



#6

Practitioner's Docket No. 700157-48900 C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: M. Makrigiorgos

Application No.: 09/858,200

Group No.:

Filed: May 15, 2001

Examiner:

For: MUTATION SCANNING ARRAY, AND METHODS OF USE THEREOF

Box Missing Parts

Assistant Commissioner for Patents

Washington, D.C. 20231

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE**

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Ronald I. Eisenstein, state the following:

ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office (703) ____-____.

Date: 10/15/01

Patricia W. Turner
Signature Patricia W. Turner

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

The "Sequence Listing" and computer readable copy are the same.

If any additional extension and/or fee is required, charge Account No. 50-0850.



SIGNATURE OF PRACTITIONER

Reg. No. 30,628

Ronald I. Eisenstein

Tel. No.: (617) 345-6054

**NIXON PEABODY LLP
101 Federal Street**

Boston, MA 02110